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PTO/SB/21 (09-04)

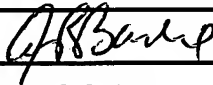
Approved for use through 07/31/2006. OMB 0651-0031

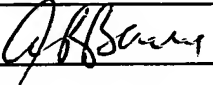
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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OIP TRANSMITTAL FORM MAR 10 2006 (to be used for correspondence after initial filing)	Application Number	10/796,823
	Filing Date	March 8, 2004
	First Named Inventor	Tasi
	Art Unit	2891
	Examiner Name	Fulk
Number of Pages in This Submission	Attorney Docket Number	500-009

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Anthony R. Barkume, P.C.		
Signature			
Printed name	Anthony R. Barkume		
Date	March 7, 2006	Reg. No.	33,831

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Anthony R. Barkume	Date	March 7, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket Number: 500-009

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tasi
Serial No.: 10/796,823 Examiner: Fulk, Steven
Filing Date: 3/08/2004 Group Art Unit: 2891
Title: COMPOUND SEMICONDUCTOR OPTOELECTRONIC DEVICE

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

PETITION UNDER 37 CFR 1.28(c)

The Applicant hereby petitions the United States Patent and Trademark Office to accept payment of the appropriate issue fee for the above-identified application as a large entity.

Applicant timely paid the issue fee as a small entity on February 27, 2006. At the time the application was filed the Applicant was United Epitaxy Company, Ltd., a small entity. The application was subsequently assigned to Epistar Corp., a large entity. Applicant's representatives were unaware of the change in status at the time the issue fee was paid. Applicant's representatives only learned of this change in status after the issue fee was paid as a small entity.

03/13/2006 TBESHAH2 00000085 10796823
01 FC:1501 1400.00 DP

Applicant requests that the error made in paying the issue fee as a small entity be excused pursuant to 37 CFR 1.28(c). Pursuant to 37 CFR 1.28 (c)(2), Applicants submits the following payment herewith:

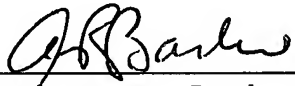
Fee now due (large entity): \$1400.00

Fee paid previously (small entity): \$700.00

DEFICIENCY ENCLOSED (CREDIT CARD FORM): \$700.00

Respectfully submitted,

Date : March 7, 2006



Anthony R. Barkume
Attorney for Applicant
Reg. No. 33,831

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Manorville, NY 11949
631-259-9099